

~~SEALED~~  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

FILED IN OPEN COURT  
ON 10-28-2020 BY  
Peter A. Moore, Jr., Clerk  
US District Court  
Eastern District of NC

NO. 7:20-CR-191-1(3)  
NO. 7:20-CR-191-2(3)  
NO. 7:20-CR-191-3(3)

UNITED STATES OF AMERICA )

v. )

INDICTMENT

MARTHA JAKELINE ZELAYA-MEJIA )

a/k/a "Marta Celia" )

BLAS ANTONIO CELAYA-PADILLA )

a/k/a "Blas Zelaya Mehia" )

a/k/a "Elvin Gutierrez" )

DAVID DARNELL WHITEHEAD )

General Allegations

At all times relevant to this Indictment:

1. The Immigration and Nationality Act (INA) governs the immigration laws of the United States.
2. Pursuant to the INA, foreign-born nationals are not permitted to permanently reside in the United States unless they are lawful permanent residents.
3. The United States Border Patrol (USBP), is an agency within United States Customs and Border Protection (CBP), Department of Homeland Security (DHS) that is responsible for the patrolling and enforcement of United States International boundaries to prevent persons from entering or leaving the United States without government permission.

4. For the purpose of this conspiracy, there are six general roles that apply to human smuggling organizations:

- a. Organization Head or Boss. He or she would oversee the recruitment, facilitation, payments, transportation and various other components of the organization and placement of undocumented aliens to "receivers" in the United States.
- b. Receivers. Those persons taking possession of smuggled alien.
- c. Recruiters. Those persons either located in a foreign country or in the United States that locate and recruit aliens from foreign countries to enter the United States illegally, usually being paid a fee for those that they recruit, and are smuggled.
- d. Guides/Facilitators. Commonly referred to as "coyotes." Those individuals that have intimate knowledge of the location of immigration law enforcement, and international border areas in their respective country in order to surreptitiously navigate through areas where there is little or no law enforcement presence. These individuals also have the means to bribe or solicit government officials or law enforcement to allow aliens to pass through areas without the necessary immigration documents or visas.
- e. Drivers. Those working in conjunction with Recruiters and Guides, that are responsible for transporting aliens by vehicle, boat, aircraft or foot, from their countries of origin into the United States. Drivers also are responsible for the transportation of aliens at the border to stash houses, and final destinations once in the United States.
- f. Stash House Operators. Those that maintain dwellings, houses, or other facilities in proximity to international borders of countries to house aliens or groups of aliens temporarily, until smuggling fees are paid to various entities in the organization, or arrangements for transportation are finalized.
- g. Guards/Enforcers. Those that are responsible for securing the stash house and those aliens being held temporarily until financial arrangements are paid to the organization.

5. The term "venture" means any group of two or more individuals associated in fact, whether or not a legal entity.

6. The term "participation in a venture" means knowingly assisting, supporting, or facilitating a violation of Title 18, United States Code, Section 1589(a) (Forced Labor).

7. MARTHA JAKELINE ZELAYA-MEJIA, a/k/a "Marta Celia" (hereinafter, "ZELAYA") is a citizen and national of Honduras, residing in the Eastern District of North Carolina.

8. BLAS ANTONIO CELAYA-PADILLA, a/k/a "Blas Zelaya-Mehia," "Elvin Gutierrez" (hereinafter "CELAYA") is a citizen and national of Honduras, and brother of ZELAYA.

9. DAVID DARNELL WHITEHEAD, (hereinafter "WHITEHEAD") is a citizen of the United States, residing in the Eastern District of North Carolina, and spouse of ZELAYA.

10. Individual J.B.P. is a citizen of the United States, and residing in the Eastern District of North Carolina.

11. K.Y.M. is a citizen and national of Honduras, and is an alien.

12. V.M.V. is a citizen and national of Honduras, the minor daughter of K.Y.M. and is an alien.

13. D.S.V. is a citizen and national of Honduras, the minor daughter of K.Y.M. and is an alien.

14. A.C.M. is a citizen and national of Honduras and is an alien.

15. A.M.Z. is a citizen and national of Honduras, the minor daughter of A.C.M. who is an alien.

16. K.N.O. is a citizen and national of Honduras and is an alien.

17. D.E.H. is a citizen and national of Honduras, the minor son of K.N.O. is an alien.

18. B.R.B. is a citizen and national of Honduras, and is an alien.

COUNT ONE

Paragraphs 1-18 of the General Allegations section above are incorporated and re-alleged herein by reference.

Beginning in or around January 2018, and continuing through the date of this indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia", BLAS CELAYA-PADILLA, a/k/a "Blas Zelaya-Mehia," "Elvin Gutierrez," and DAVID DARNELL WHITEHEAD, did knowingly and willfully combine, conspire, confederate, and agree with other persons known and unknown to the Grand Jury, to commit certain offenses against the United States in violation of Title 8, United States Code, Section 1324(a)(1)(A)(i), that is, knowing that a person is an alien, to wit – K.Y.M., V.M.V., D.S.V., A.C.M., A.M.Z., K.N.O., D.E.H., and B.R.B. – brings to or attempts to bring to the United States such person at a place other than a designated port of entry.

All in violation of Title 8, United States Code, Section 1324(a)(1)(A)(v)(I).

COUNT TWO

Paragraphs 1-18 of the General Allegations section above are incorporated and re-alleged herein by reference.

Beginning in or around January 2018, and continuing through the date of this indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia", BLAS CELAYA-PADILLA, a/k/a "Blas Zelaya-Mehia," "Elvin Gutierrez," and DAVID DARNELL

WHITEHEAD, did knowingly and willfully combine, conspire, confederate, and agree with other persons known and unknown to the Grand Jury, to commit certain offenses against the United States in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii), that is to, knowing and in reckless disregard of the fact that an alien, to wit – K.Y.M., V.M.V., D.S.V., A.C.M., A.M.Z., K.N.O., D.E.H., and B.R.B. – has come to, entered, and remained in the United States in violation of law, transport and move or attempt to transport and move such alien within the United States by means of transportation and otherwise, in furtherance of such violation of law, for the purpose of commercial advantage and private financial gain.

All in violation of Title 8, United States Code, Section 1324(a)(1)(A)(v)(I), and 1324(a)(1)(B)(i).

**COUNT THREE**

Paragraphs 1-18 of the General Allegations section above are incorporated and re-alleged herein by reference.

Beginning in or around January 2018, and continuing through the date of this indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia", BLAS CELAYA-PADILLA, a/k/a "Blas Zelaya-Mehia," "Elvin Gutierrez," and DAVID DARNELL WHITEHEAD, did knowingly and willfully combine, conspire, confederate, and agree with other persons known and unknown to the Grand Jury to commit certain offenses against the United States in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii), that is to, knowingly, and in reckless disregard of the fact that an

alien, to wit – K.Y.M., V.M.V., D.S.V., A.C.M., A.M.Z., K.N.O., D.E.H., and B.R.B. – has come to, entered, or remained in the United States in violation of law, conceals, harbors, and shields from detection, such aliens in any place, including any buildings and other places, for the purpose of commercial advantage or private financial gain.

All in violation of Title 8, United States Code, Section 1324(a)(1)(A)(v)(I), and 1324(a)(1)(B)(i).

#### COUNT FOUR

Paragraphs 1-18 of the General Allegations section above are incorporated and re-alleged herein by reference.

Beginning in or around January 2018, and continuing through the date of this indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a “Marta Celia”, BLAS CELAYA-PADILLA, a/k/a “Blas Zelaya-Mehia,” “Elvin Gutierrez,” and DAVID DARNELL WHITEHEAD, did knowingly and willfully combine, conspire, confederate, and agree with other persons known and unknown to the Grand Jury to commit certain offenses against the United States in violation of Title 18, United States Code, Section 1589(a)(1), that is, to knowingly provide and obtain the labor and services of a person, to wit – K.N.O. – by means of force, threat, physical restraint and threats of physical restraint to that person or another person.

All in violation of Title 18, United States Code, Section 1594(b).

**COUNT FIVE**

Paragraphs 1-18 of the General Allegations section above are incorporated and re-alleged herein by reference.

Beginning in or around January 2018, and continuing through the date of this indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia", BLAS CELAYA-PADILLA, a/k/a "Blas Zelaya-Mehia," "Elvin Gutierrez," and DAVID DARNELL WHITEHEAD, did knowingly and willfully combine, conspire, confederate, and agree with other persons known and unknown to the Grand Jury to commit certain offenses against the United States in violation of Title 18, United States Code, Section 1589(a)(3), that is to knowingly provide and obtain the labor or services of a person, to wit – K.Y.M. – by means of abuse, or threatened abuse of law or legal process.

All in violation of Title 18, United States Code, Section 1594(b).

**COUNT SIX**

Beginning in or about January, 2018, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendant, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," did aid and abet smugglers known and unknown to the Grand Jury, to knowingly bring to the United States, K.Y.M., an alien, with knowledge that said person was an alien, at a place other than a designated port of entry.

All in violation of Title 8, United States Code, Section 1324(a)(1)(A)(i) and Title 18, United States Code, Section 2.

**COUNT SEVEN**

Beginning in or about January, 2018, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," did aid and abet smugglers known and unknown to the Grand Jury, to knowingly bring, to the United States, V.M.V., an alien, with knowledge that said person was an alien, at a place other than a designated port of entry.

All in violation of Title 8, United States Code, Section 1324(a)(1)(A)(i) and Title 18, United States Code, Section 2.

**COUNT EIGHT**

Beginning in or about January, 2018, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," did aid and abet smugglers known and unknown to the Grand Jury, to knowingly bring to the United States, D.S.V., an alien, with knowledge that said person was an alien, at a place other than a designated port of entry.

All in violation of Title 8, United States Code, Section 1324(a)(1)(A)(i) and Title 18, United States Code, Section 2.

**COUNT NINE**

On or about October 23, 2018, in the Eastern District of North Carolina and elsewhere, the defendant, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," did knowingly and in reckless disregard of the fact that K.Y.M., an alien, had

come to, entered, and remained in the United States in violation of law, did knowingly transport, move, and attempt to transport and move said alien within the United States in furtherance of such violation of law, that is, from the Wilmington, North Carolina Airport to Willard, North Carolina, by means of a motor vehicle, for the purpose of commercial advantage and private financial gain.

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and 1324(a)(1)(B)(i).

**COUNT TEN**

On or about October 23, 2018, in the Eastern District of North Carolina and elsewhere, the defendant, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," did knowingly and in reckless disregard of the fact that V.M.V., an alien, had come to, entered, and remained in the United States in violation of law, did knowingly transport, move, and attempt to transport and move said alien within the United States in furtherance of such violation of law, that is, from the Wilmington, North Carolina Airport to Willard, North Carolina, by means of a motor vehicle, for the purpose of commercial advantage or private financial gain.

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and 1324(a)(1)(B)(i).

**COUNT ELEVEN**

On or about October 23, 2018, in the Eastern District of North Carolina and elsewhere, the defendant, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," did knowingly and in reckless disregard of the fact that D.S.V., an alien, had

come to, entered, and remained in the United States in violation of law, did knowingly transport, move, and attempt to transport and move said alien within the United States in furtherance of such violation of law, that is, from the Wilmington, North Carolina Airport to Willard, North Carolina, by means of a vehicle, for the purpose of commercial advantage or private financial gain.

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and 1324(a)(1)(B)(i).

**COUNT TWELVE**

Beginning in or about January, 2018, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," knowing and in reckless disregard of the fact that K.Y.M., an alien, had come to, entered, and remained in the United States in violation of law, did knowingly conceal, harbor, and shield from detection and attempt to conceal, harbor and shield from detection said alien in in buildings and other places, for the purpose of commercial advantage and private financial gain.

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i).

**COUNT THIRTEEN**

Beginning in or about January, 2018, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," knowing

and in reckless disregard of the fact that V.M.V., was an alien who had come to, entered, and remained in the United States in violation of law did knowingly conceal, harbor, and shield from detection and attempt to conceal, harbor and shield from detection said alien in in buildings and other places, for the purpose of commercial advantage and private financial gain.

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i).

#### COUNT FOURTEEN

Beginning in or about January, 2018, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," knowing and in reckless disregard of the fact that D.S.V., was an alien who had come to, entered, and remained in the United States in violation of law did knowingly conceal, harbor, and shield from detection and attempt to conceal, harbor and shield from detection said alien in in buildings and other places, for the purpose of commercial advantage and private financial gain.

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i).

#### COUNT FIFTEEN

Beginning in or about January, 2018, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," did aid

and abet smugglers known and unknown to the Grand Jury, to knowingly bring, to the United States, A.C.M., an alien, with knowledge that said person was an alien, at a place other than a designated port of entry.

All in violation of Title 8, United States Code, Section 1324(a)(1)(A)(i) and Title 18, United States Code, Section 2.

**COUNT SIXTEEN**

Beginning in or about January, 2018, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," did aid and abet smugglers known and unknown to the Grand Jury, to knowingly bring, to the United States, A.M.Z., an alien, with knowledge that said person was an alien, at a place other than a designated port of entry.

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(i) and Title 18, United States Code, Section 2.

**COUNT SEVENTEEN**

Beginning in or about January, 2018, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," BLAS CELAYA-PADILLA, and DAVID DARNELL WHITEHEAD, did aid and abet smugglers known and unknown to the Grand Jury, to knowingly bring, and aid and abet to bring, to the United States, K.N.O., an alien, with knowledge that said person was an alien, at a place other than a designated port of entry.

All in violation of Title 8, United States Code, Section 1324(a)(1)(A)(i) and Title 18, United States Code, Section 2.

**COUNT EIGHTEEN**

Beginning in or about January, 2018, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," BLAS CELAYA-PADILLA, and DAVID DARNELL WHITEHEAD, did aid and abet smugglers known and unknown to the Grand Jury, to knowingly bring, and aid and abet to bring, to the United States, D.E.H., an alien, with knowledge that said person was an alien, at a place other than a designated port of entry.

All in violation of Title 8, United States Code, Section 1324(a)(1)(A)(i) and Title 18, United States Code, Section 2.

**COUNT NINETEEN**

On or about July 4, 2019, in the Eastern District of North Carolina and elsewhere, the defendant, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia" and DAVID DARNELL WHITEHEAD, did knowingly and in reckless disregard of the fact that K.N.O., an alien, had come to, entered, and remained in the United States in violation of law, did knowingly transport, move, and attempt to transport and move said alien within the United States in furtherance of such violation of law, that is, from Boston, Massachusetts to Fayetteville, North Carolina, by means of a vehicle, for the purpose of commercial advantage or private financial gain.

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and 1324(a)(1)(B)(i).

**COUNT TWENTY**

On or about July 4, 2019, in the Eastern District of North Carolina and elsewhere, the defendant, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia" and DAVID DARNELL WHITEHEAD did knowingly and in reckless disregard of the fact that D.E.H. was an alien who had come to, entered, and remained in the United States in violation of law, did knowingly transport, move, and attempt to transport and move said alien within the United States in furtherance of such violation of law, that is, from Boston, Massachusetts to Fayetteville, North Carolina by means of a motor vehicle for the purpose of commercial advantage or private financial gain.

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and 1324(a)(1)(B)(i).

**COUNT TWENTY-ONE**

Beginning in or about January, 2018, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," and DAVID DARNELL WHITEHEAD, knowing and in reckless disregard of the fact that K.N.O., an alien, had come to, entered, and remained in the United States in violation of law, did knowingly conceal, harbor, and shield from detection and attempt to

conceal, harbor and shield from detection said alien in buildings and other places, for the purpose of commercial advantage and private financial gain.

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i).

**COUNT TWENTY-TWO**

Beginning in or about January, 2018, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," and DAVID DARNELL WHITEHEAD, knowing and in reckless disregard of the fact that D.E.H., an alien, had come to, entered, and remained in the United States in violation of law, did knowingly conceal, harbor, and shield from detection and attempt to conceal, harbor and shield from detection said alien in buildings and other places, for the purpose of commercial advantage and private financial gain.

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i).

**COUNT TWENTY-THREE**

Beginning in or about January 2019, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendant, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," did aiding and abetting J.B.P., knowingly provide and obtain the labor and services of K.N.O. by means of force, threats of force, physical restraint, and threats of physical restraint.

All in violation of Title 18, United States Code Sections 1589(a)(1) and Title 18, United States Code, Section 2.

**COUNT TWENTY-FOUR**

Beginning in or about January 2018, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendant, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," did aiding and abetting J.B.P., knowingly provide and obtain the labor and services of K.Y.M. by means of the abuse or threatened abuse of law or legal process.

All in violation of Title 18, United States Code Sections 1589(a)(3) and Title 18, United States Code, Section 2.

**COUNT TWENTY-FIVE**

Beginning in or about January, 2018, and continuing through on or about the date of this Indictment, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," did aid and abet smugglers known and unknown to the Grand Jury, to knowingly attempt to bring to the United States, B.R.B., an alien, with knowledge that said person was an alien, at a place other than a designated port of entry.

All in violation of Title 8, United States Code, Section 1324(a)(1)(A)(i), and Title 18, United States Code, Section 2.

**COUNT TWENTY-SIX**

Beginning in or around January, 2018, and continuing through or on or about the date of this indictment, within the Eastern District of North Carolina, and

elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia," BLAS CELAYA-PADILLA, a/k/a "Blas Zelaya-Mehia," "Elvin Gutierrez" and DAVID DARNELL WHITEHEAD, did knowingly financially benefit, and by receiving things of value, from participation in a venture which has engaged in the providing and obtaining of labor and services by K.N.O. and K.Y.M., by (1) means of force, threats of force, physical restraint, and threats of physical restraint and the abuse, and (2) threatened abuse of law and legal process, knowing and in reckless disregard of the fact that the venture was engaged in providing and obtaining of labor and services by such means.

All in violation of Title 18, United States Code, Section 1589(b).

**COUNT TWENTY-SEVEN**

On or about the dates specified as to each count below, in the Eastern District of North Carolina, and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia", BLAS CELAYA-PADILLA, a/k/a "Blas Zelaya-Mehia," "Elvin Gutierrez" and DAVID DARNELL WHITEHEAD knowingly and intentionally combined, conspired, confederated, and agreed together, each with the other, and with others known and unknown to the Grand Jury, to commit the following offenses in violation of Title 18 United States Code, Section 1956(a)(2)(A):

To transport, transmit, and transfer monetary instruments and funds from a place in the United States, to a place outside the United States, with the intent to promote the carrying on of specified unlawful activity, to wit: did knowingly bring, and aid and abet to bring, to the United States, aliens, with knowledge that said

aliens entered the United States at a place other than a designated port of entry, for the purpose of commercial advantage and private financial gain, in violation of Title 8 United States Code, Sections 1324(a)(1)(A)(i) and 1324(a)(1)(B)(i).

All in violation of Title 18 United States Code, Sections 1956(h).

**COUNTS TWENTY-EIGHT THROUGH FOURTY-TWO**

The Grand Jury realleges and incorporates by reference herein all of the allegations contained in paragraphs one (1) through eighteen (18) of the General Allegations to the Indictment, and further alleges that:

On or about the dates set forth below, in the Eastern District of North Carolina and elsewhere, the defendants, MARTHA JACKELINE ZELAYA-MEJIA, a/k/a "Marta Celia", BLAS CELAYA-PADILLA, a/k/a "Blas Zelaya-Mehia," "Elvin Gutierrez," and DAVID DARNELL WHITEHEAD aiding and abetting each other, did knowingly transport, transmit, and transfer monetary instruments and funds from a place in the United States, to a place outside the United States, with the intent to promote the carrying on of specified unlawful activity, to wit: knowing that a person is an alien, brings to or attempts to bring to the United States such person at a place other than a designated port of entry.

<u>Count</u>	<u>On or About Date</u>	<u>Defendant(s)</u>	<u>Monetary Transaction</u>
28	09/27/2018	ZELAYA	Intermex wire transfer # N246036605 in the amount of \$1,000.00 was sent from North Carolina to Mexico.
29	09/27/2018	ZELAYA	MoneyGram wire transfer # 91482337 in the amount of \$1,000.00 was sent from North Carolina to Mexico.

30	10/02/2018	ZELAYA	Intermex wire transfer # N246848582 in the amount of \$1,000 was sent from North Carolina to Mexico.
31	10/02/2018	ZELAYA	Western Union wire transfer # 009-214-6843 in the amount of \$1,000.00 sent from North Carolina to Mexico.
32	01/16/2019	CELAYA	MoneyGram wire transfer, January 16, 2019 at 12:07 PM at Supermercado Hispano II, in the amount of \$1,000.00 was sent from North Carolina to Honduras.
33	01/16/2019	ZELAYA	MoneyGram wire transfer # 97964040 in the amount of \$1,000.00 was sent from North Carolina to Honduras.
34	02/01/2019	ZELAYA	Intermex wire transfer # 198893698 in the amount of \$1,500.00 was sent from North Carolina to Honduras.
35	02/24/2019	ZELAYA	MoneyGram wire transfer # 28617429 in the amount of \$500.00 was sent from North Carolina to Mexico
36	05/17/2019	WHITEHEAD	MoneyGram wire transfer # 36757509 in the amount of \$500.00 was sent from North Carolina to Mexico.
37	05/17/2019	WHITEHEAD	MoneyGram wire transfer # 44505645 in the amount of \$500.00 was sent from North Carolina, to Mexico.
38	05/17/2019	ZELAYA	MoneyGram wire transfer # 51325490 in the amount of \$500.00 was sent from North Carolina to Mexico.
39	05/17/2019	ZELAYA	MoneyGram wire transfer # 88893865 in the amount of \$500.00 was sent from North Carolina to Mexico.
40	05/30/2019	WHITEHEAD	MoneyGram wire transfer # 54978959 in the amount of

			\$1,000.00 was sent from North Carolina to Mexico.
41	05/30/2019	ZELAYA	MoneyGram wire transfer # 80842600 in the amount of \$1,000.00 was sent from North Carolina to Mexico.
42	05/30/2019	ZELAYA	MoneyGram wire transfer # 86777860 in the amount of \$1,000.00 was sent from North Carolina to Mexico.

Each entry in the above table constituting a separate violation of Title 18, United States Code, Sections 1956(a)(2)(A) and 2.

FORFEITURE NOTICE

Notice is hereby given that all right, title and interest in the property described herein is subject to forfeiture.

Upon conviction of any violation of, or conspiracy to violate, section(s) 274(a), 274A(a) of the Immigration and Nationality Act, or section(s) 555, 1028 (if committed in connection with passport issuance or use), 1425, 1426, 1427, 1541, 1542, 1543, 1544, or 1546 of Title 18 of the United States Code, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(6): (i) any conveyance, including any vessel, vehicle, or aircraft used in the commission of the said offense; and (ii) any property, real or personal, that constitutes or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the said offense, or that is used to facilitate, or is intended to be used to facilitate, the commission of the said offense.

Upon conviction of any offense charged herein constituting "specified unlawful activity" (as defined in 18 U.S.C. §§ 1956(c)(7) and 1961(1)), or a conspiracy to commit such offense, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C), as made applicable by 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the said offense.

Upon conviction of any violation of 18 U.S.C. §§ 1956, 1957 or 1960 charged herein, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(1), any property, real or personal, involved in such offense, or any property traceable to such property.

The forfeitable property includes, but is not limited to, the following:

Forfeiture Money Judgment:

- a) A sum of money representing the gross proceeds of the offense(s) charged herein against MARTHA JAKELINE ZELAYA-MEJIA, in the amount of at least \$168,400.00
- b) A sum of money representing the value of the property involved in the money laundering offense(s) charged herein against MARTHA JAKELINE ZELAYA-MEJIA, in the amount of at least \$10,000.00
- c) A sum of money representing the value of the property involved in the money laundering offense(s) charged herein against DAVID DARNELL WHITEHEAD, in the amount of at least \$2,000.00
- d) A sum of money representing the value of the property involved in the money laundering offense(s) charged herein against BLAS ANTONIO CELAYA-PADILLA, in the amount of at least \$1,000.00

If any of the above-described forfeitable property, as a result of any act or omission of a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p),

to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

A TRUE BILL

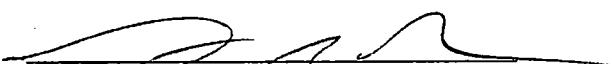
**REDACTED VERSION**

  
~~FOREPERSON~~

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

DATE: 10-28-20

ROBERT J. HIGDON, JR.  
United States Attorney

  
BY: GABRIEL J. DIAZ  
Assistant United States Attorney